

PLANNING BOARD MEETING – March 8, 2017

PRESENT: Mark Pease, Chairman; Robert Donnelly, Vice Chairman; Douglas Dooley; Philip Greene; George Nangle; Brian Chapman, Alternate Member; Elizabeth Ware, Community Development Director; Edward Patenaude, Public Works Director; Mark Hamel, Town Engineer and Lisa Wagner, Recording Secretary

Chairman Pease opened the meeting at 7:00 p.m. in the Conference Room at Town Hall and the Pledge of Allegiance was recited.

MINUTES:

Meeting held on February 22, 2017: Mr. Donnelly motioned to approve. Mr. Dooley seconded. Motion passed unanimously.

1905 LAKEVIEW AVENUE/ROBIN & WENDY LEY/SPECIAL PERMIT FOR A FAST FOOD RESTAURANT WITH DRIVE-UP (TOP DONUT)/PUBLIC HEARING:

Chairman Pease opened the hearing and read aloud the Legal Notice which was advertised in the Lowell Sun on Wednesday, February 22, 2017 and again on Wednesday, March 1, 2017.

Attorney Walter Chambers, Ron Close, Registered Engineer and Robin Ley, the applicant appeared before the Board seeking a special permit for a donut shop/bakery with a drive-up window. Attorney Chambers stated the 3 acre parcel is located in the B3 business zone and was subdivided into 2 lots. The proposals consists of 2 separate buildings with 1 lot having the Top Donut business and in the future the other lot will have a retail business, as well as the related parking. It was mentioned that the project obtained zoning relief from the Board of Appeals for buffering and setback provisions of the Zoning Bylaws,

In discussion of the proposed project, Ms. Ware noted the applicant must file with the Conservation Commission for review under the Wetlands Protection Act; a traffic study or analysis should be completed to establish traffic flows to and from the site; a determination as to whether Massachusetts Environmental Policy Act (MEPA) is triggered for volume of vehicle trips, which would require filing with the State's MEPA office for approval; findings from the soil test pits will require adjustments to the on-site stormwater system and plans must be submitted to the Dracut Water Supply District for availability of water. Furthermore, Ms. Ware stated the proposed signage (location & size) needs to be provided, which is in accordance with the sign bylaw and the plans must be revised to show lot coverage for building and pavement areas; earth volumes to be removed; zoning designation; proposed locations and details for all utilities; snow storage locations; fire lanes plus other issues raised by the Fire Chief; grease traps and other items from the Sewer Department Superintendent and the building elevations. Ms. Ware suggested the Board take any public testimony and continue the hearing to a date certain. Attorney Chambers indicated he contacted Ron Mueller about conducting the traffic study. Chairman Pease asked if they have filed with Conservation. Attorney Chambers stated he was in touch with Norse Environmental, who will be handling the filing and it should be submitted in the next week or two.

PLANNING BOARD MEETING – March 8, 2017

Chairman Pease added there were issues raised by the Fire Chief and Sewer Department, which also need to be addressed. Attorney Chambers agreed to those concerns and Mr. Close noted he did speak with Jay Reynolds of the Sewer Department concerning the existing sewer stub, which will be inspected as requested. Mr. Dooley inquired if the 2nd building will be together with the first building. Attorney Chambers stated it would be an entirely separate building. Mr. Donnelly asked if there is sufficient parking for both businesses. Attorney Chambers indicated the project meets the parking requirements of the town. Mr. Greene asked why both buildings are being shown. Mr. Close stated the Zoning Board requested that the plan show both buildings. It was Ms. Ware's understanding that the Zoning Board wanted to see the size and configuration of the lot with 2 buildings on it in order to have a full understanding of what zoning relief is needed. Chairman Pease felt the project has a ways to go before there are finalized plans and it could be impacted by the Conservation filing. Mr. Greene agreed and felt the plan was a little busy.

Chairman Pease asked if anyone in attendance had a question or comment. Nobody came forward to speak for or against this project.

Mr. Donnelly motioned to continue this hearing to the April 12th meeting. Mr. Dooley seconded. Motion passed unanimously.

7:15 PM: Mr. Dooley relinquished his seat on the Board for the following hearing.

1500 BROADWAY ROAD/BETTENCOURT CORP/SPECIAL PERMIT FOR A DUNKIN DONUTS WITH DRIVE-UP & RETAIL UNITS/PUBLIC HEARING (CON'T):

Attorney George Malonis, Jack McQuilkin, Project Engineer of JM Associates and Ron Müller, Traffic Engineer of Ron Müller & Associates appeared before the Board on behalf of the applicant, who is seeking a special permit to construct a 5,000+ square foot building consisting of a Dunkin Donuts shop with drive-thru and retail shops. Attorney Malonis stated that a revised plan has been prepared and Mr. McQuilkin has been working with MDM (the Town's Traffic Consultant) to arrive at a resolution to the traffic flow issue. At the request of Mr. Hamel, Mr. McQuilkin indicated the existing drainage easement has been tied into the proposed site and the deed reference has been added. For safety purposes, curb stops will be installed in the parking spaces with the exception of the interior spaces and bollards will be placed at several locations within the site. Also, there has been a slight design change with regard to the entrance and awning for the drive-up window.

In regard to the traffic concerns, Mr. Müller indicated he worked with Ron Desrosiers of MDM Transportation Consultants to address the traffic flow issues on site and to implement the changes, however; a minor exception would be the bump out area adjacent to the drive-thru lane which will be serrated concrete (or similar) rather than a raised island due to the tractor trailers entering the site. Mr. Müller further mentioned that a parking supply and demand count was obtained at other Dunkin Donuts sites in the area.

PLANNING BOARD MEETING – March 8, 2017

Mr. Desrosiers worked with Mr. Müller on this plan and finds the revised plan to be quite a bit better with regard to traffic flow on site. In addition, he stated the traffic study was prepared in general conformance with industry standards and provides a thorough overview of the area. MDM concurs with the findings relating to the sight distances, but recommends an alternative location for the snow storage rather than the entrance/exit along Broadway Road. Mr. Desrosiers suggested that the circulation aisle for the easterly parking lot be increased to 18-feet and it should be confirmed that there is sufficient maneuvering area to accommodate the Town's fire trucks, as well as the tractor trailer delivery vehicles. Finally, Mr. Desrosiers reviewed the data with regard to parking supply and along with MDM's own empirical data for Dunkin Donuts facilities; he finds the supply to be sufficient to accommodate the proposed uses.

Chairman Pease noted the traffic circulation on site is counterclockwise around the building, which Mr. Desrosiers confirmed and stated the driver either has the option to enter straight into the site or make a right turn into the parking area. Furthermore, Mr. Desrosiers noted that 60% to 70% of the traffic will be using the drive-thru and a minimal amount will use the parking in front of the building. Mr. Nangle inquired if a vehicle can get by the drive-thru. Mr. Desrosiers indicated there is sufficient area to by-pass the drive-thru. Ms. Ware asked about the travel path when entering Commercial Drive. Mr. Desrosiers stated it would be one-way around the front and either parking or getting into the drive-thru lane. Chairman Pease questioned whether the proposed project across the street was taken into consideration or if it will have any impact. Mr. Desrosiers did not find any significant conflict as the driveways are directly across from each other and there is adequate sight distance. Ms. Ware inquired about taking a left turn out of the site onto Broadway Road. Mr. Desrosiers stated the sight distance is appropriate and you would just have to wait for a gap in traffic. Mr. Donnelly asked how many parking spaces are required. Mr. McQuilkin stated 62 are required and 44 are proposed. Mr. Desrosiers added the Dunkin Donuts will have a peak demand of 10 to 15 vehicles, but will provide 40 spaces on site and in his opinion; the parking is significantly underutilized, as most people use the drive-thru. Mr. Donnelly noted there are 3 retail units with 1 unit for the Dunkin Donuts, but the other 2 are unknown and he questioned whether the amount of parking would be sufficient if the Dunkin's leaves and there are 3 units with insufficient parking. Mr. Müller reviewed the National Parking Data showing the parking needs for a coffee shop and retail businesses at varying times, and this data demonstrates that during peak demand the combined parking spaces needed would be 36. Ms. Ware mentioned at the staff meeting, the applicant informed them that the 2 proposed retail units would not be any type of restaurant that would compete with Dunkin Donuts during their peak times. Mr. Donnelly noted that anything allowed in the B3 zone could potentially go in at this location. Ms. Ware added the size of the retail units limits what can go in there and the applicant's target would be for a Verizon store or florist, which has minimal traffic impact. Mr. Greene asked how parking would be effected if 1 unit was eliminated. Mr. Müller stated 13 parking spaces are required for the 2 units and if the Dunkin Donuts was a retail unit; then the parking needed would be 26 spaces and a waiver would not be necessary. Chairman Pease added that the parking spaces required would only go down by 6 or 7 spaces if a unit is removed.

PLANNING BOARD MEETING – March 8, 2017

Ms. Ware asked Mr. Desrosiers if he finds that 44 parking spaces are adequate for this project based on the information provided. Mr. Desrosiers confidently stated that he absolutely believes there will be sufficient parking and there are actually more spaces than required based on national standards. Mr. Hamel acknowledged the benefit of the peer review process and feels this facility will be a first class operation in terms of access and circulation. Mr. McQuilkin added the snow storage has been moved from the Broadway Road location on the latest revision of the plan and is now behind the building.

Chairman Pease asked if anyone in attendance had a question or comment. Nobody came forward to speak for or against this project. Chairman Pease asked if the Board wanted to address the waivers for the buffering and parking at this time. Mr. Chapman asked if the Board is just waiting on a draft decision, as well as acting on the waivers. Chairman Pease stated the plans also need to be finalized. Mr. McQuilkin indicated he would have the plans updated by the next meeting. No action was taken on the waivers.

Mr. Donnelly motioned to continue this hearing to the March 22nd meeting. Mr. Chapman seconded. Motion passed unanimously.

OLD BUSINESS:

Marsh Hill Road – “Fox Run II”/Fox Run II, LLC/Sidewalk Issue

Brian Lussier appeared before the Board to discuss the remaining sidewalks for the development off of Marsh Hill Road and presented an illustration of the project. Mr. Lussier stated the roadways shown as Butternut, Saddle, Border and a portion of Old Pasture have sidewalks on both sides where the development is more congested and he is seeking a waiver to have a sidewalk on one side for the final portion of Old Pasture from Marsh Hill to Border. Mr. Nangle asked what side the sidewalk would be on. Mr. Lussier indicated on the easterly side shown as Lots 48 to 56. Chairman Pease felt it is somewhat unusual at this point of the subdivision, as it was approved a number of years ago. Mr. Lussier stated he was not involved with the project back then. Chairman Pease noted it is under the purview of the Board to consider minor changes, but he does not find a waiver of the Subdivision Regulations to be a minor change. Mr. Lussier felt there were some projects in Town that do not have sidewalks on both sides. Mr. Greene noted the Board might waive a sidewalk within the subdivision, but not a thru street. Mr. Donnelly stated he would not vote to waive a sidewalk as it is a public safety issue and he feels it is a major change.

Also, Mr. Lussier mentioned an issue with residents putting mailboxes in the middle of the sidewalk. Mr. Greene stated the Board needs to address this situation at some point. Chairman Pease felt it would be a minor change if the sidewalk were moved in to provide a grass strip, but he did not feel the will of the Board is to take any action on this matter. Mr. Nangle motioned to waive the sidewalk on one side, as he feels it is a minor change and does not believe a public hearing is necessary. Hearing no second, the motion failed.

PLANNING BOARD MEETING – March 8, 2017

Wheeler Road – “Wheeler Village”/Wheeler Village, LLC/Sidewalk Issue

Mr. Lussier stated there has been no construction on this subdivision and asked if the Board would consider waiving one of the sidewalks. Chairman Pease suggested Mr. Lussier have a plan or sketch prepared. Ms. Ware noted that for postal delivery the mailbox must be within 6” from the curb and presently there is no bylaw to address the installation of the mailbox post, however; if the sidewalk were pushed back, then there would be an area to put the post in. Mr. Donnelly suggested establishing a bylaw rather than dealing with a waiver or field change. Ms. Ware agreed and mentioned the Subdivision Regulations are in the process of being updated. Mr. Hamel spoke in length about an ongoing problem with mailbox locations and finds a field change might be necessary until a bylaw can be put in place.

In this subdivision, Mr. Greene would look at waiving one of the sidewalks if it is not a thru street. Mr. Lussier indicated he would come back to the Board with a plan or sketch for this subdivision.

8:00 PM: Mr. Dooley returned to his seat on the Board.

Planning Board Initiative & Projects/Update

Chairman Pease stated an ADHOC Committee has been formed that includes Mr. Dooley, Tami Dristiliaris, Jesse Forcier and himself, who are meeting next Tuesday to discuss the elements of the Master Plan.

NEW BUSINESS:

2000 Lakeview Avenue/Brick House Dracut/Special Permit Submittal for Alteration of a Pre-existing, Non-conforming Use & to Request a Public Hearing

Mr. Greene motioned to schedule a public hearing on April 12, 2017 at 7:10 p.m. Mr. Nangle seconded for discussion. Mr. Greene asked what the applicant is doing. Chairman Pease stated the site of the former Korner Kitchen is a pre-existing, nonconforming use and the special permit is to expand into the vacant adjacent unit. Motion passed unanimously.

526 Mammoth Road (Lot A1)/JVR Homes/Special Permit Submittal for a 2-Family Dwelling & to Request a Public Hearing

Mr. Donnelly motioned to schedule a public hearing on April 12, 2017 at 7:15 p.m. Mr. Dooley seconded. Motion passed unanimously.

526 Mammoth Road (Lot A2)/JVR Homes/Special Permit Submittal for a 2-Family Dwelling & to Request a Public Hearing


Mr. Nangle motioned to schedule a public hearing on April 12, 2017 at 7:20 p.m. Mr. Dooley seconded. Motion passed unanimously.

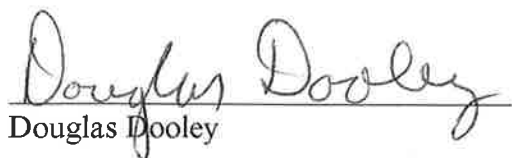
PLANNING BOARD MEETING – March 8, 2017

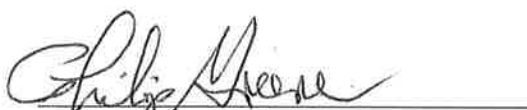
ADJOURNMENT: Mr. Greene motioned to adjourn at 8:10 p.m. Mr. Nangle seconded. Motion passed unanimously.


THE DRACUT PLANNING BOARD


Mark Pease, Chairman


Robert Donnelly, Vice Chairman


Douglas Dooley


Philip Greene


George Nangle

/lw